

01-24-02 A

20/22/10



# UTILITY PATENT APPLICATION TRANSMITTAL

## (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

3123-399

Total Pages in this Submission

JC997 U.S. PTO  
10/054376

01/22/02

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

DISK DRIVE ACTUATOR ARM LATCH ASSEMBLY



25231

PATENT TRADEMARK OFFICE

and invented by:

GALE D. JOHNSON of 3049 Arbor Drive, Loveland, CO 80538  
 JAMES A. DUNCKLEY of 2790 Stephens Road, Boulder, CO 80303  
 D. MICHAEL KEFFELER of 2084 Skylark Court, Longmont, CO 80503

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1.  Filing fee as calculated and transmitted as described below
2.  Specification having 48 pages and including the following:

- a.  Descriptive Title of the Invention
- b.  Cross References to Related Applications (*if applicable*)
- c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
- d.  Reference to Microfiche Appendix (*if applicable*)
- e.  Background of the Invention
- f.  Brief Summary of the Invention
- g.  Brief Description of the Drawings (*if drawings filed*)
- h.  Detailed Description
- i.  Claim(s) as Classified Below
- j.  Abstract of the Disclosure

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**(Large Entity)**

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**Application Elements (Continued)**

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)  
a.  Formal Number of Sheets 10  
b.  Informal Number of Sheets \_\_\_\_\_

4.  Oath or Declaration  
a.  Newly executed (*original or copy*)  Unexecuted  
b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)  
c.  With Power of Attorney  Without Power of Attorney  
d.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5.  Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.

6.  Computer Program in Microfiche (*Appendix*)

7.  Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)  
a.  Paper Copy  
b.  Computer Readable Copy (*identical to computer copy*)  
c.  Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8.  Assignment Papers (*cover sheet & document(s)*) ✓

9.  37 CFR 3.73(B) Statement (*when there is an assignee*)

10.  English Translation Document (*if applicable*)

11.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations

12.  Preliminary Amendment

13.  Acknowledgment postcard

14.  Certificate of Mailing

First Class  Express Mail (*Specify Label No.*): EL912398519US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Additional Enclosures (*please identify below*):

**POWER OF ATTORNEY**

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

17.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Fee Calculation and Transmittal**

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	56	- 20 =	36	x \$18.00	\$648.00
Indep. Claims	5	- 3 =	2	x \$84.00	\$168.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,556.00

A check in the amount of \$1,556.00 to cover the filing fee is enclosed.

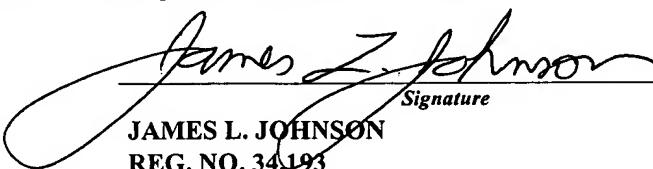
The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-1419 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



Signature

JAMES L. JOHNSON

REG. NO. 34,193

MARSH FISCHMANN & BREYFOGLE LLP

3151 SOUTH VAUGHN WAY, SUITE 411

AURORA, CO 80014

(701) 293-0301

Dated: 1/22/02

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

**Applicant(s): JOHNSON ET AL.**

**Docket No.**

3123-399

Serial No.  
**NOT YET ASSIGNED**

Filing Date  
**HEREWITH**

Examiner  
**NOT YET ASSIGNED**

**Group Art Unit**  
**NOT YET ASSIGNED**

**Invention: DISK DRIVE ACTUATOR ARM LATCH ASSEMBLY**

I hereby certify that this **U.S. UTILITY PATENT APPLICATION AND FILING DOCUMENTATION**  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

 20231-0001 on January 22, 2002  
 (Date)

RUTH E. OSTGULEN

*(Typed or Printed Name of Person Mailing Correspondence)*

Ruth E. Ostgulen

*(Signature of Person Mailing Correspondence)*

**EL912398519US**

*(“Express Mail” Mailing Label Number)*

**Note:** Each paper must have its own certificate of mailing.

CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: JOHNSON ET AL.

Docket No.: 3123-399

Application No.: NOT YET ASSIGNED

Filed: HEREWITH

Confirmation No.:

For: DISK DRIVE ACTUATOR ARM LATCH ASSEMBLY

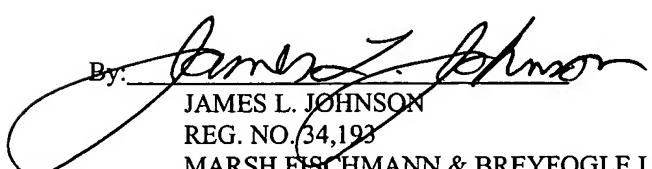
MAXTOR CORPORATION, a Delaware corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
  - Additional documents in the chain of title are listed on a supplemental sheet.
  - Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By: 

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